

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police – Withdrawal of prosecution against Sri B.V.Gaddar @ G.Vittal and others in Cr.No.41/97, under sections 341,504,506 and 124-A of the Indian Penal Code, 1860 of Hayathnagar P.S. pending trial before Hon'ble VII M.M. Court, Cyberabad, vide C.C.No.2518/2005 – Orders – Issued.

LAW (L.A. & J – HOME – COURTS-B) DEPARTMENT

G.O.Rt.No. 266

Dated: 18.02.2009

Read the following:

1. Representation of Sri B.V.Gaddar @ G.Vittal, S/o.Seshaiah, Dated:12.05.2005.
2. Govt.Memo.No.22908/Leg.II/A1/2007, Dated:19.11.2007.
3. From the Director General of Police, A.P., Hyderabad, Lr.Rc.No.5752/Compts-1/2007, Dated:28.12.2007 and Dt:2/2008.
4. Representation of Sri B.V.Gaddar @ G.Vittal, Dated:Nil received on 12.01.2009.

ORDER:

Sri B.V.Gaddar @ G.Vittal and others in their representations first and fourth read above, have stated that they were taking out a silent funeral procession in respect of Gorantla Rameswar @ Ramesh (extremist) without any untoward incident in the Hayathnagar Police Station limits. However, a false case has been registered by the Hayathnagar Police against Sri B.V.Gaddar @ G.Vittal and others. Sri B.V.Gaddar @ G.Vittal, has therefore requested to withdraw the said false case, registered against him and others.

2. Report from the Director General of Police, A.P., Hyderabad has been called for in the letter second read above. In the letter third read above, the Director General of Police, A.P., Hyderabad has forwarded the report of Commissioner of Police, Cyberabad and the opinion of Addl.Public Prosecutor concerned. The Commissioner of Police, Cyberabad Commissionerate has informed that on 20.02.1997, there was a procession on NH-9 at Hayathnagar of a dead body of an extremist Gorantla Rameswar @ Ramesh, R/o.Hayathnagar who died in encounter in Medak District. The procession was led by Gaddar, Varavara Rao, Bojja Tarakam, Saibaba and others raising slogans against the Government and also the law enforcement machinery. The above persons raised the slogans followed by songs provoking the general public. The procession was followed by cars. Sri Ghouse Mohinuddin, formerly S.I. of Police, Hayathnagar registered a suo-moto case in Cr.No.41/97, under sections 341, 504, 506 and 124-A of the Indian Penal Code, 1860 and took up the investigation. During the course of investigation, the SI collected the evidence and filed charge sheet against (6) accused persons i.e., S/Sri Gaddar (A1); 2) Varavara Rao (A2); 3) Bojja Tarakam (A3); 4) Siddaiah (A4); 5) Saibaba (A5); and 6) Purushotham (A6).

3. The said case is pending before Hon'ble VII M.M. Court, Cyberabad vide C.C.No.2518/2005. NBWs are pending against the said accused and prosecution is pending against Sri B.V.Gaddar @ G.Vittal and five (5) others in Cr.No.41/97 under sections 341, 504, 506 and 124-A of the Indian Penal Code, 1860 of Hayathnagar P.S., pending trial vide C.C.No.2518/2005 on the file of Hon'ble VII M.M. Court, Cyberabad.

4. Based on the material available and considering the request of the individual Government have decided to withdraw prosecution against S/Sri B.V.Gaddar @ G.Vittal; 2) Sri Varavara Rao; 3) Bojja Tarakam; 4) Ch.Siddaiah; and 5) Sri G.P.Saibaba in Cr.No.41/97, under sections 341, 504, 506 and 124-A of the Indian Penal Code, 1860 of Hayathnagar Police Station, pending before Hon'ble VII Metropolitan Magistrate Court, Cyberabad, vide C.C.No.2518/2005.

5. The Collector & District Magistrate, Ranga Reddy District is therefore directed to issue suitable instructions to the Addl.Public Prosecutor concerned, to file a petition under section 321 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974) for withdrawal of prosecution against the accused mentioned in para (5) above in Cr.No. 41/97, under sections 341, 504, 506 and 124-A of the Indian Penal Code, 1860 of Hayathnagar Police Station, pending before Hon'ble VII Metropolitan Magistrate Court, Cyberabad, vide C.C.No.2518/2005, under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.RAMACHANDRA REDDY,
SECRETARY TO GOVERNMENT
LEGISLATIVE AFFAIRS & JUSTICE

To
The Collector & District Magistrate, Ranga Reddy District
The Director General of Police, A.P., Hyderabad.
The Commissioner of Police, Cyberabad Commissionerate
The Addl.Public Prosecutor concerned (thro' Collector concerned)
Copy to:
The Law (E) Department
The P.S. to Secretary (L.A. & J) Dept.,
Sf/Sc.

// forwarded :: by order //

Section Officer